

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

Case No. 2:18-cv-530

**DEFENDANT NORFOLK SOUTHERN RAILWAY COMPANY'S MOTION
IN LIMINE REGARDING USE OF INTERNAL EMAILS**

Defendant Norfolk Southern Railway Company ("NS"), by counsel, submits this Motion in Limine under Federal Rules of Evidence 401, 402, and 403 seeking to prohibit Plaintiff CSX Transportation, Inc. ("CSX") from arguing or eliciting testimony that emails involving only NS employees are communications between NS and co-Defendant Norfolk and Portsmouth Belt Line Railroad Company ("NPBL"). As set forth in the accompanying memorandum, NS respectfully requests that the Court grant this Motion and any other relief the Court deems appropriate.

Dated: May 5, 2021

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY COMPANY

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